

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CHARLES BOWER,
Plaintiff

v.

D. PRICE, et al.,
Defendants

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No. 1:17-cv-01473

(Judge Kane)

ORDER

AND NOW, on this 15th day of March 2018, in accordance with the accompanying Memorandum, **IT IS ORDERED THAT:**

1. Plaintiff's motion to proceed in forma pauperis (Doc. No. 7), construed as a motion to proceed without full prepayment of the filing fee, is **GRANTED**;
2. Plaintiff's claims for injunctive relief are **DENIED as moot** and Plaintiff is not permitted leave to amend this claim, as any amendment would be futile;
3. Plaintiff's Prison Rape Elimination Act ("PREA"), claim is **DISMISSED with prejudice** and Plaintiff is not permitted leave to amend this claim, as any amendment would be futile;
4. The remainder of Plaintiff's complaint (Doc. No. 1), is **DISMISSED without prejudice** for failure to comply with Federal Rule of Civil Procedure 8 and for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii);
5. Plaintiff is granted thirty (30) days from the date of this Order in which to file an amended complaint. If Plaintiff elects to file an amended complaint, Plaintiff is advised to adhere to the standards set forth in the Federal Rules of Civil Procedure and the directives set forth by this Court in its accompanying Memorandum. Specifically, the amended complaint must be complete in all respects. It must be a new pleading which stands by itself without reference to the original complaint or any other documents already filed. The amended complaint should set forth Plaintiff's claims in short, concise and plain statements as required by Rule 8 of the Federal Rules of Civil Procedure. Each paragraph should be numbered. The amended complaint should specify which actions are alleged as to which defendants and sufficiently allege personal involvement of the defendant in the acts which Plaintiff claims violated his rights. Mere conclusory allegations will not set forth cognizable claims.

6. Should Plaintiff fail to file an amended complaint within thirty (30) days of the date hereof, the Court may dismiss this action for Plaintiff's failure to prosecute per Fed.R.Civ.P. 41(b).

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania